



**Thomas v Republic (Miscellaneous Criminal Application
E028 of 2024) [2025] KEHC 8861 (KLR) (17 February 2025) (Ruling)**

Neutral citation: [2025] KEHC 8861 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT VOI
MISCELLANEOUS CRIMINAL APPLICATION E028 OF 2024
AN ONGERI, J
FEBRUARY 17, 2025**

BETWEEN

MORRIS MUTIE THOMAS APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The Applicant upon being told that sentences under the *Sexual Offences Act* (SOA) are mandatory and the same are not legible for non-custodial or Probation sentences has made an oral application to withdraw his application seeking probation sentence.
2. Since the Prosecuting Counsel has no objection, the oral application is allowed.
3. This application is marked as withdrawn and the file is closed.

**DATED, SIGNED AND DELIVERED THIS 17TH DAY OF FEBRUARY 2025 IN OPEN COURT
AT VOI.**

ASENATH ONGERI

JUDGE

In the presence of:-

Court Assistant: Maina/Trizah/Millicent

Prosecutor: Mr. Ngigi

The Applicant present at Shimo la Tewa

